

**FEDERAL LAND STATUS REPORT**  
**OLD AGNESS GUARD STATION SALE**

**SIS NO. 308**

**ROGUE RIVER-SISKIYOU NATIONAL FOREST**

**A. LEGAL DESCRIPTION:**

W.M., T. 35 S., R. 11 W., Section 7, SE¼NE¼ of Lot 14 as described in a deed from Charles H Pettinger and Sadie G. Pettinger, husband and wife, to the United States of America dated February 27, 1936 and recorded in Curry County records on April 16, 1936 in Volume 23, page 530. The property was acquired under the Emergency Relief Act of April 08, 1935 (Acquired status).

Parcel contains 2.50 acres, more or less.

**B. RIGHTS PREVIOUSLY CONVEYED OR PERMITTED BY THE UNITED STATES** (state if N/A):

**1. Recorded outstanding rights** (describe lands affected)

- a. An easement created by instrument, including the terms and provisions thereof; Dated June 14, 1957. Recorded: December 10, 1957 DV: 52, Page: 100. In favor of West Coast Telephone Company.

**2. Existing public roads and other rights not covered by recorded documents or permits** (describe lands affected):

None

**3. Forest Development Roads** (list road numbers/name and add statement as to why road is not being reserved, if applicable- list road(s) being reserved in Section C):

None.

**4. Special-Use permits** : The Forest Service has issued the following special use permits:

None.

**UTILITIES:** Current services to property

POWER: Coos-Curry Electric Coop, 1-541-247-6638

WATER: Well

SEWER: Property is on its own septic system

TELEPHONE: Verizon, 1-800-483-4000

5. **Grazing permits** (state whether permittee signed or is willing to sign grazing permit waiver. If not, use must be reserved):

None.

6. **Unpatented Mining Claims** (explain if miner will relinquish claim or how it will be dealt with):

None.

7. **Oil and Gas Lease** (list leasee, location, & expiration date):

None.

8. **Minerals** (state whether (1) mineral rights are being reserved by U.S., (2) mineral rights are outstanding to third parties, and/or (3) mineral rights being conveyed with the surface):

Mineral rights will be conveyed with the surface.

9. **Water Rights** (state whether water rights are being conveyed, (2) water rights are being reserved, and/or (3) water rights are outstanding to third parties):

In 1927 the Forest Service acquired a water right for Domestic Supply from an unnamed stream tributary to the Rogue River. On April 12, 1979 the water right was cancelled by Special Order and recorded in Special Order Record Volume 32, Page 40 in Curry County.

10. **Withdrawals** (explain how they will be dealt with; e.g., request BLM revoke):

None.

11. **Agreements (including Cost-Share) / Memorandums of Understanding (MOU):**

None.

12. **Legal Access** (discuss whether or not there is legal access to Federal Lands being conveyed):

Physical access to the property is through Road No. 375, a County road. Without a survey of the property it is difficult to determine if this road does reach the property.

Legal access to the property was granted from Charles and Sadie Pettinger by Easement Deed; Recorded Book 19 Deeds, Page 416 on April 6, 1927. The right-of-way is described by metes and bounds as follows; Beginning at a point 990 feet East of the southwest corner Sec. 7, T. 35 S., R. 11 W., W.M.; thence N. 27 deg. E 128 feet; thence N. 26 deg. W. 112 feet; thence N. 35 deg. E. 68 feet; thence N. 49 deg. E. 200 feet; thence N. 49 deg. E. 200 feet; thence N. 224 feet; thence W. 200 feet to a point 300 feet South of the S.W. corner of the Agness Ranger Station site.

This access connected to a former bridge across the Rogue River, which is no longer there.

Without a survey of the property we are unable to determine if there is legal access to the county road, and the easement from Pettinger is no longer providing access since the bridge is gone.

**C. RIGHTS TO BE RESERVED BY UNITED STATES:**

None.

**D. OTHER ENCUMBERANCES (e.g., restrictive covenants to be placed on Federal Land):**

Grantee: United States of America

Grantor: A.C. Reese

W.M., T. 35 S., R. 11 W., Sec. 7, Lot 7

Easement and right-of-way for a pipeline 3 feet in width.

Recorded in Volume 20, Page 197, April 11, 1929

Note: This easement was effectively terminated by R.E. Worthington, Regional Forester on May 8, 1974 and recorded in Volume 70, Page 995, May 8, 1974

Grantee: United States of America

Grantor: Mrs. Tom L. Wallace

W.M., T. 35 S., R. 11 W., Sec. 7, E $\frac{1}{2}$ SW $\frac{1}{4}$

Easement and right-of-way for a pipeline 3 feet in width.

Recorded in Volume 29 Page 317, April 27, 1945.

Grantee: United States of America

Grantor: Sadie G. Pettinger and Charles H. Pettinger, husband and wife

W.M., T. 35 S., R. 11 W., Sec. 7, metes and bounds description

Exclusive Easement and right-of-way for a pipeline

Recorded in Volume 19, Page 415-416, April 6, 1927.

Grantee: United States of America  
Grantor: B.W. Griffiths and Ethelyn Griffiths, husband and wife  
W.M., T. 35 S., R. 11 W., Sec. 7, a portion of Lot 7  
Exclusive Easement and right-of-way for a pipeline and chlorinator tank  
Recorded in Volume 73, Page 428, August 28, 1964

Grantee: United States of America  
Grantor: Charles C. Bittner and Isabelle Bittner, husband and wife  
W.M., T. 35 S., R. 11 W., Sec. 7, a portion of Lot 6  
Right-of-Way Easement Deed – For a water line, 3 feet in width  
Recorded in Volume 72, Page 373, June 29, 1964

These encumbrances for easements and rights-of-way are no longer needed by the Forest Service and will be terminated prior to conveyance of the property out of Federal ownership. The terminations are being processed.

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Date: 2/9/2012

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